

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 2, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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COMMISSION MATTERS

Commissioner de la Fe noted that there had been a change in ownership of the subject property of a Hunter Mill application scheduled for public hearing tonight. To allow time for further review, he MOVED TO DEFER (THE PUBLIC HEARING ON) CSP-C-020 (TALL OAKS VILLAGE CENTER) TO A DATE CERTAIN OF JULY 11, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote.

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Commissioner Alcorn announced that the Development Criteria Review Committee had met last night and tonight to continue discussions of the proposed changes to the development criteria in the Policy Plan. He noted that two more meetings were scheduled as follows:

Tuesday, May 14, 2002 at 7:30 p.m. in the Board Conference Room
Wednesday, May 22, 2002 at 7:30 p.m. in the Board Conference Room.

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FDPA-84-D-049-7 - TYSONS II LAND COMPANY (Decision Only)

(The public hearing on this application was held on April 18, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-84-D-049-7, SUBJECT TO THE DRAFT DEVELOPMENT CONDITIONS DATED MAY 1, 2002.

Commissioner DuBois seconded the motion which carried by a vote of 8-0-2 with Commissioners Byers and Murphy abstaining; Commissioners Alcorn and Wilson not present for the vote.

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2232A-Y00-3-2 - AT&T WIRELESS SERVICES - I-66 & Route 28

Commissioner Koch MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION AS SET FORTH IN 2232A-Y00-3-2.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-Y97-50-2 - AT&T WIRELESS SERVICES - Cub Run Stream Valley Park

Commissioner Koch MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION AS SET FORTH IN FSA-Y97-50-2.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-Y98-8-1 - AT&T WIRELESS SERVICES - Westbrook Drive and Stringfellow Road

Commissioner Koch MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION AS SET FORTH IN FSA-Y98-8-1.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-S96-78-2 - AT&T WIRELESS SERVICES - 8900 Block of Burke Road

Commissioner Murphy MOVED THAT WE CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-S96-78-2.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-S97-40-1 - AT&T WIRELESS SERVICES - 6001 Union Mill Road

Commissioner Murphy MOVED THAT WE CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-S97-40-1.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-71-2 - AT&T WIRELESS SERVICES - 7171 Wimsatt Road

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION FIND THAT THE MODIFICATIONS SHOWN IN FSA-71-2 BE APPROVED AND BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FS-D02-4 - XM Satellite Radio - 1551 Trap Road

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-D02-4.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-D97-39-2 - AT&T WIRELESS SERVICES - 10516 Leesburg Pike

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION OF THE MODIFICATIONS PROPOSED IN FSA-D97-39-2.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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2232A-D00-6-1 - AT&T WIRELESS SERVICES - George Washington Parkway/I-495

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION OF THE MODIFICATION PROPOSED IN 2232A-D00-6-1.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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2232A-D00-4-2 - AT&T WIRELESS SERVICES - I-495/Old Dominion Drive

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION OF THE MODIFICATIONS PROPOSED IN 2232A-D00-4-2.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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FSA-D96-43-1 - AT&T WIRELESS SERVICES - 6520 Georgetown Pike

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION OF THE MODIFICATIONS PROPOSED IN FS-D96-43-1.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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2232-D01-23 - SPRINT PCS (Decision Only)

(The public hearing on this application was held on January 17, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner DuBois MOVED THAT THIS APPLICATION IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN AND, THEREFORE, THAT THIS APPLICATION BE APPROVED.

Commissioners Hall, Koch, Byers, de la Fe seconded the motion which carried unanimously with Commissioners Alcorn and Kelso not present for the vote.

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RZ-2001-HM-052 - KEYSTONE LLC (Decision Only)

(The public hearing on this application was held on April 18, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF RZ-2001-HM-052, TO THE BOARD OF SUPERVISORS, SUBJECT TO THE EXECUTION OF PROFFERS NOW DATED APRIL 25, 2002.

Commissioners DuBois seconded the motion which carried by a vote of 9-0-2 with Commissioners Byers and Murphy abstaining; Commissioner Alcorn not present for the vote.

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S99-CW-2TR - OUT-OF-TURN PLAN AMENDMENT (Trails) (Decision Only)

(The public hearing on this item was held on January 16, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF CHANGES TO THE FAIRFAX COUNTY COUNTYWIDE TRAILS PLAN AS REFLECTED AND SUMMARIZED IN THE MASTER COMPREHENSIVE LIST OF PROPOSED TRAILS MAP CHANGES DATED MAY 2, 2002, AND AS MODIFIED OR AMENDED BY THE COMMISSION THIS EVENING*. THESE RECOMMENDED CHANGES WILL BE REFLECTED ON A NEW COUNTYWIDE TRAILS PLAN MAP CONTAINED IN THE POLICY PLAN ELEMENT OF THE COMPREHENSIVE PLAN AND PRINTED AT A SCALE OF 1 INCH TO 4000 FEET.

(*NOTE: Details of the modifications and amendments made by the Commission which carried without objection may be obtained in the Planning Commission Office.)

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

Commissioner Byers MOVED AN AMENDMENT TO DELETE ITEM 35 ON PAGE 5 OF THE MASTER TRAILS TABLE, COUNTYWIDE ON-ROAD BIKE ROUTES.

Commissioner Murphy seconded the motion which carried by a vote of 7-4 with Commissioners de la Fe, Koch, Moon and Wilson opposed; Commissioner Alcorn not present for the vote.

Commissioner Byers MOVED AN AMENDMENT TO APPROVE ITEM 32 ON PAGE 18 OF THE MASTER TRAILS TABLE, MOUNT VERNON DISTRICT TRAILS.

Commissioner Kelso seconded the motion which carried by a vote of 8-3 with Commissioners Koch, Moon and Wilson opposed; Commissioner Alcorn not present for the vote.

Commissioner Murphy MOVED AN AMENDMENT TO DELETE ITEMS 5, 7, 9 AND 10 ON PAGE 20 OF THE MASTER TRAILS TABLE, SPRINGFIELD DISTRICT TRAILS.

Commissioners Hall, Harsel and de la Fe seconded the motion which carried by a vote of 8-2-1 with Commissioners Moon and Wilson opposed; Commissioner Kelso abstaining; Commissioner Alcorn not present for the vote.

Commissioner Wilson, FOR ALL TRAIL ITEMS IN TABLES A AND B OF EACH CATEGORY OF TRAILS LISTED IN THE MASTER TRAILS TABLE THAT HAVE NOT BEEN RECOMMENDED FOR ADOPTION OR MODIFICATION AS STATED IN THE PREVIOUS MOTIONS, MOVED THAT THE PLANNING COMMISSION DENY THE NOMINATIONS AND RETAIN THE TRAILS ON THE CURRENT ADOPTED COUNTYWIDE TRAILS PLAN MAP.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

Commissioner Wilson, FOR THE TRAIL ITEMS LISTED IN TABLE C, MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THESE NOMINATIONS BE CONSIDERED AS POSSIBLE FUTURE AMENDMENTS TO THE COUNTYWIDE TRAILS PLAN MAP, AS THE BOARD MAY DEEM APPROPRIATE, AND EXAMINED THROUGH THE NORMAL PLAN AMENDMENT PROCESS.

Commissioner de la Fe seconded the motion and suggested an amendment: THAT A TRAIL SEGMENT FROM THE OLD COURTHOUSE SPRING BRANCH STREAM VALLEY TRAIL TO CORAL GABLES LANE, ON TAX MAP 29-3, BE ADDED TO THE TABLE C ITEMS FOR FUTURE CONSIDERATION.

Commissioner Wilson accepted this amendment and the motion, as amended, carried unanimously with Commissioner Alcorn not present for the vote.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF CHANGES TO THE TRANSPORTATION

ELEMENT OF THE POLICY PLAN AND FOUR AREA PLAN DOCUMENTS AS REFLECTED ON PAGES 5 AND 6 OF THE STAFF REPORT DATED JULY 26, 2001, WITH THE FOLLOWING EXCEPTION:

ON PAGE 6 OF 6, UNDER THE RECOMMENDATION TO MODIFY TEXT IN THE FOUR AREA PLAN DOCUMENTS, UNDER EACH COMMUNITY PLANNING SECTOR EXCEPT THE SEVEN NOTED, THE TEXT SHOULD BE CHANGED TO READ: "TRAILS PLANNED FOR THIS SECTOR ARE DELINEATED ON FIGURE (BLANK) AND THE 1 INCH TO 4000 FEET COUNTYWIDE TRAILS PLAN MAP WHICH IS REFERENCED IN THE TRANSPORTATION ELEMENT OF THE POLICY PLAN AND IS AVAILABLE AT THE MAPS AND PUBLICATIONS SALES DESK."

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT STAFF TO EXAMINE THE PUBLIC FACILITIES MANUAL AND RETURN WITH RECOMMENDED AMENDMENTS NEEDED TO IMPLEMENT THIS COUNTYWIDE TRAILS PLAN AMENDMENT.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. RZ-2001-DR-056 - LAURA LEA GUARISCO TRUST III
2. SEA-83-D-030-7 - THE MADEIRA SCHOOL, INC.
3. RZ-2001-PR-054 - D. R. HORTON, INC.
FDP-2001-PR-054 - D. R. HORTON, INC.

This order was accepted without objection.

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RZ-2001-DR-056 - LAURA LEA GUARISCO TRUST III - Appl. to rezone from R-1 to R-2 to permit residential development at a density of 1.66 du/ac on property located on the S. side of Linway

Terrace, approx. 200 ft. W. of Kirby Rd. on approx. 1.20 ac. Comp.
Plan Rec: 2-3 du/ac. Tax Map 31-3((1))157. DRANESVILLE
DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated October 23, 2001. There were no disclosures by Commission members.

Ms. Mavis Stanfield, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Martin explained that the applicant had originally requested the PDH-3 zoning for three single family detached houses, but had reduced the request to a conventional R-2 zoning and two houses. He noted that the applicant had proffered rain gardens to satisfy stormwater management requirements as well as right-of-way dedication and construction of curb and gutter along the property's Linway Terrace frontage. He added that, with the assistance of funds previously escrowed by another developer and discovered by Commissioner DuBois, the applicant would connect to the existing adjacent drainage system. Mr. Martin stated that citizens in the area supported the application.

Chairman Murphy called for speakers from the audience and recited the rules for public testimony.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, representing the McLean Citizens Association, spoke in support of the application. She complimented the applicant for proffering to provide rain gardens as a stormwater management measure.

There being no further speakers, Chairman Murphy noted that no rebuttal was necessary. There were no comments or questions from the Commission and Ms. Stanfield had no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on this case. (A verbatim transcript is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2001-DR-056, SUBJECT TO THE EXECUTION OF PROFFERS DATED MAY 2, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote.

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SEA-83-D-030-7 - THE MADEIRA SCHOOL, INC. - Appl. under Sect. 3-E04 of the Zoning Ord. to amend SE-83-D-030 previously approved for a private school of general education to permit construction of faculty & staff housing & expansion of existing school facilities on property located at 8328 Georgetown Pike on approx. 376.16 ac. zoned R-E. Tax Map 20-1((1))14 & 20-2((1))1. DRANESVILLE DISTRICT. PUBLIC HEARING.

David Houston, Esquire, Shaw, Pittman, Potts and Towbridge, reaffirmed the affidavit dated April 8, 2002. There were no disclosures by Commission members.

Mr. Peter Braham, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Houston spoke about Maderia School's history and its long-range plans for the campus which included the renovation and use, whenever possible, of existing buildings. He noted that the application enjoyed the support of staff and citizens in the area. Mr. Houston requested that Condition 11 be deleted. He said that the road improvements suggested were unwarranted by the applicant's request, which did not include any increase in student enrollment and therefore no increase in traffic or vehicle trips.

In response to questions from Commissioner DuBois, Mr. Houston confirmed that an escrow account had been established to provide for a trail as part of a previous application.

Chairman Murphy called for speakers from the audience.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, representing the McLean Citizens Association, spoke in support of the application. She agreed with the applicant's assertion that the road improvements suggested in Condition 11 were not needed. She complimented the applicant for its environmentally sensitive design.

There being no further speakers, Chairman Murphy noted that no rebuttal was necessary. There were no comments or questions from the Commission and Mr. Braham had no closing staff remarks, therefore Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on this case. (A verbatim transcript is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA-83-D-030-7, SUBJECT TO THE DEVELOPMENT CONDITIONS IN APPENDIX 1, WITH CONDITION 11 DELETED.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS BE MODIFIED AS SHOWN ON THE SPECIAL EXCEPTION AMENDMENT PLAT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE TRAIL REQUIREMENT BE WAIVED, SUBJECT TO THE PROVISIONS OF THE PREVIOUSLY-GRANTED SITE PLAN WAIVERS.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote.

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RZ-2001-PR-054/FDP-2001-PR-054 - D. R. HORTON, INC. - Appls. to rezone from R-2 to PDH-4 to permit residential development at a density of 3.15 du/ac & approval of the conceptual & final development plans on property located in the S.E. quadrant of the intersection of Chain Bridge Rd. & Sutton Rd. on approx. 3.49 ac. Comp. Plan Rec: 3-4 du/ac. Tax Map 48-1((1))55A. PROVIDENCE DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated April 2, 2002. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to questions from Commissioner Koch, Ms. Johnson explained that the units along Route 123 would not have decks and that the prohibition on decks would be conveyed to homeowners through deeds.

Mr. Martin explained that an application by Manor Care for an Alzheimer's facility on the subject property had been approved, but never built. He stated that D. R. Horton had subsequently acquired the property and now proposed a residential development at 3 to 4 dwelling units per acre (du/ac) in accordance with the Comprehensive Plan. He pointed out that 11 houses were planned, resulting in a density of 3.1 du/ac, with a public street ending

in a temporary cul-de-sac, at the request of staff, to allow for a future interparcel connection. Mr. Martin said that the six-foot brick decorative and acoustical wall to be provided along the Route 123 frontage would require a variance from the Board of Zoning Appeals because it would be located in what was technically designated as front yards. He confirmed Ms. Johnson's statements that decks would not be provided by the builder or allowed by the new homeowners. Mr. Martin noted that the applicant had proffered a contribution to the Housing Trust Fund and would create a wetland habitat in the stormwater management area of the subject property. He spoke about the applicant's outreach efforts, including meetings with immediate neighbors and letters to the homeowners associations involved in the previous Manor Care application, including the one representing the residents of Whitecedar Court, several of whom were on the speakers list tonight. He said he had gotten no response to his letters and would be interested to hear what the citizens had to say tonight. In conclusion, Mr. Martin reiterated that the applicant's plans were in conformance with the Comprehensive Plan.

In response to questions from Commissioner Hall, Mr. Martin confirmed that the units along Route 123 would have walk-out patios on the first floor, but no decks would be built or allowed. He assured her that there would be no French doors or sliding glass doors on the second story of those units that would lead homeowners to believe it would be okay to build a deck.

In response to Commissioner Alcorn's inquiry, Mr. Martin agreed to make that assurance in the form of a proffer.

In response to questions from Commissioner Koch, Mr. Martin explained that the outlots immediately east of the subject property had been railroad right-of-way and had been acquired by adjacent homeowners to extend their properties. He added that several of the homeowners had chosen to clear cut the outlots now in their possession.

Mr. Martin responded to questions from Commissioner Wilson regarding driveway lengths, parking requirements, recreational facilities and sidewalks.

Chairman Murphy called the first listed speaker and reminded the audience that the rules cited earlier were still in effect.

Ms. Claudette Connelly, 9602 Whitecedar Court, Vienna, spoke in opposition. She expressed her concern for the loss of trees and said that the applicant's proposal would have a detrimental impact on the buffer between the subject property and residences to the south. Another concern voiced by Ms. Connelly was the possibility of cut-through traffic when the future interparcel connection provided for by the proposed temporary cul-de-sac design became a reality. (A copy of Ms. Connelly's statement is in the date file.)

Mr. James Connelly, 9602 Whitecedar Court, Vienna, also opposed the application. He concurred with his wife's comments and objected to what he called staff's "rubber stamp"

approval of the application. Mr. Connelly expressed his opposition to the public street proposed by the applicant..

In response to questions from Commissioner Hall, Mr. Connelly said he would prefer to see a private street ending in a permanent cul-de-sac.

At Commissioner Hall's request, Ms. Johnson explained that staff of the Department of Transportation had requested the temporary cul-de-sac design in accord with the County's policy to limit individual access points on major arterials such as Route 123. Commissioner Hall commented that the possible future cut-through problem feared by Mr. and Mrs. Connelly was beyond the scope of this application and that public streets were usually preferred by citizens.

Commissioner Smyth refuted Mr. Connelly's claim that this application, as well as others in the Oakton area, had "sailed through" the development process. She explained that lengthy and detailed negotiations regularly took place between developers, staff, citizens, Commissioners and Supervisors before any land use application was approved. She pointed out that private streets were usually narrower than public streets, thereby restricting on-street parking. Mr. Connelly reiterated his opposition.

Mr. Philip Servidea, 9610 Whitecedar Court, Vienna, spoke in opposition to the application, especially staff's favorable recommendation for the requested service drive waiver. He said the service drive should be constructed to provide access to the new lots. Mr. Servidea maintained that the density proposed was too high and the application did not meet applicable Zoning Ordinance provisions. (A copy of Mr. Servidea's comments are in the date file.)

Ms. Johnson responded to questions from Commissioner Smyth regarding proposed setbacks and confirmed that the PDH-4 zoning district being requested had lesser setback requirements than the conventional R-4 zoning district. Mr. Servidea reiterated his opposition.

Mr. Martin O. Walsh, 9608 Whitecedar Court, Vienna, opposed the application, specifically the service drive waiver and the proposed public street. He claimed that a variance for the proposed six-foot wall would not be needed if the houses weren't being built too close to the road. He complained that the applicant had not made sufficient effort to inform citizens in the area. He objected to the applicant's plans for future interparcel access, citing the possible cut-through traffic mentioned by previous speakers.

In response to a question from Commissioner Koch, Mr. Walsh stated that his neighborhood did not have an active homeowners association. Commissioner Koch suggested that Mr. Walsh meet with the applicant's representatives to discuss his concerns.

In response to questions from Commissioner Smyth, Ms. Johnson confirmed that there was no existing service drive on the south side of Route 123. She added that, in staff's opinion, the

proposed public street would serve the same purpose as a service drive to reduce the traffic burden on Route 123. She further confirmed that the applicant was dedicating right-of-way and an additional 15 feet for ancillary easements for the possible future widening of Route 123.

In response to questions from Commissioner Wilson, Ms. Johnson said that a bike trail would be included when Route 123 was widened. She said she would check whether a waiver was needed by the applicant for the trail requirement.

Ms. Kathleen Moody, 9608 Whitecedar Court, Vienna, spoke in opposition. She reiterated the concerns expressed by previous speakers regarding the waivers and setbacks. She questioned the figures quoted in the staff report for the number of students expected from the new development.

Commissioner Smyth explained that the numbers in the staff report were supplied by the Fairfax County Public School's Facilities Planning Office.

Mr. William Browning, 2612 Lemontree Lane, Vienna, was opposed to the application. He cited the traffic impact as his main concern, specifically the waiver of the service drive and the possibility of future cut-through traffic. (A copy of Mr. Browning's statement is in the date file.)

In response to questions from Commissioner Harsel, Mr. Browning stated there were approximately 52 homes in his subdivision with about 40 school-aged children, two-thirds of which were elementary school students.

Mr. Mark Miller, 9619 Whitecedar Court, Vienna, objected to the application. He expressed concerns about water runoff problems and suggested that the proposed holding pond would create a safety hazard. (A copy of Mr. Miller's statement is in the date file.)

Mr. Richard Newberg, 9714 Bunchberry Place, Vienna, spoke in opposition. He was concerned about the loss of trees and said the proposed lots were too small and the houses too big.

In response to questions from Commissioner Smyth, Ms. Johnson confirmed that the land area used for streets was included in density calculations.

In response to questions from Commissioner Hall, Ms. Johnson confirmed that PDH-4 zoning provided more open space than a conventional development and that the applicant was proposing 28 percent open space on the subject property.

Mr. Robert Willis, 2702 Snowberry Court, Vienna, expressed his opposition. He specifically objected to the service drive waiver and the staff's analysis of the application's compliance with Zoning Ordinance provisions.

In response to questions from Commissioner Byers, Ms. Johnson explained that the proposed dedication of right-of-way plus 15 feet for ancillary easements would accommodate a sidewalk when Route 123 was widened.

Mr. Rick McKay, 19713 Bunchberry Place, Vienna, noted that the elementary school listed in Appendix 8 of the staff report was incorrect; that Marshall Road Elementary School, not Flint Hill, was the proper school for this area. He refuted staff's statement that there was no service drive on the south side of Route 123 and said it began at Emanuel Lutheran Church and continued past the medical offices and restaurant. Mr. McKay objected to the size of the proposed houses.

Ms. Heather Glynn, 9618 Whitecedar Court, Vienna, explained that she had been contacted by the applicant's representatives seeking drainage easements and had had several discussions with them on this matter. She disagreed with Mr. Martin's statement that outlots had been clear cut. To the contrary, she noted that several homeowners had enhanced their outlots with additional plantings.

Ms. Barbara Rousseau, 2701 Snowberry Court, Vienna, asked that further assurances be obtained from the applicant regarding stormwater management to ensure that adjacent properties would not be adversely impacted.

Mr. Vestal Tutterow, 2613 Lemontree Lane, Vienna, objected to the proposed large houses on small lots. He reiterated the concern expressed by previous speakers regarding the possibility of future cut-through traffic when the temporary cul-de-sac was removed.

Chairman Murphy reiterated Commissioner Hall's earlier statement that the possibility of future cut-through traffic was beyond the scope of this application. He added that this application could not legally be denied because of that remote possibility.

Mr. Sean McDonald, 2729 Sutton Road, Vienna, shared the cut-through concerns expressed previously and objected to the density proposed. He also commented on problems he had experienced with his well.

Mr. McDonald responded to questions from Commissioner Alcorn regarding his well.

In response to questions from Commissioner Hall, Mr. McDonald stated, and Ms. Johnson confirmed, that his property was zoned R-1 and was located south of the subject property, near the intersection of Sutton Road and Courthouse Road.

There being no further speakers, Chairman Murphy called upon Mr. Martin for a rebuttal statement.

Mr. Martin pointed out that the majority of speakers tonight lived in a neighborhood that neither abutted the subject property nor would be connected to the property by the street system. He said their concern about future interparcel connections that would lead to the possibility of cut-through traffic in their neighborhood was a matter to be decided by the Planning Commission and Board of Supervisors since the applicant had originally proposed a permanent cul-de-sac and had been asked by staff to convert it to a temporary one. He noted that provisions in the proffers addressed tree save on the subject property and off-site tree protection. He added that the Urban Forester would oversee the tree preservation program. Regarding the size of the houses, he noted that a 35-foot height was allowed by right under the present R-2 zoning and that the proposed homes would be lower than that. Mr. Martin concurred with staff's position that a service drive was not needed and that the public street proposed was appropriate.

Commissioner Smyth commented that there was a situation similar to this case located just southwest of the subject property in the Fox Rest subdivision which had a public street.

There being no further comments or questions from the Commission and Ms. Johnson having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT WE DEFER DECISION ONLY ON RZ/FDP-2001-PR-054, D. R. HORTON, INC., TO A DATE CERTAIN OF MAY 16, 2002, WITH THE RECORD TO REMAIN OPEN.

Commissioner Byers seconded the motion which carried unanimously.

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The meeting was adjourned at 12:25 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins
Approved on: October 15, 2003

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission